

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re

CITY OF DETROIT, MICHIGAN,

Debtor.

No. 13-53846

Chapter 9

HON. STEVEN W. RHODES

EXHIBIT 18

**APPELLEE STATE OF MICHIGAN'S DESIGNATION OF
ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

in connection with Notice of Appeal filed by Lucinda Darrah
[Dkt. #8812]

Item	Date Filed	Docket Number	Description
18	4/23/2014	4239	Amended Objection to Chapter 9 Plan Filed by Creditor Lucinda J. Darrah

Amendments to my

Objections to the Disclosure Statement:
Please hire Hammar (John Loave #1) and J. Darnold

The disclosure statement is obtuse, hard to read and understand and promises nothing. People are being asked to vote on ^{pages} that might as well be blank, ... like signing a blank check and allowing someone else to fill it in later. These are the kinds of ~~thick~~ actions the Jones Day Law Firm under Kevin Orr and Sydor's direction ~~have~~ been ~~of~~ using to gain the council's rubber stamp approval of the Emergency Manager Kevin Orr and the governor's plans for the city of Detroit. These bogus contracts end with pages that have a title at the top but nothing else.

The money that has been wasted on their (Orr & Sydor's) choices, plus the money they have not collected from Illich, ~~or~~ the

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U.S. BANKRUPTCY COURT
E.D. MICHIGAN - DETROIT

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state of Michigan^{et al}; the tax breaks for monopoly
building owners in the downtown area, and
the assumption that this bankruptcy is going
to help Detroit when it really appears it is
hurting Detroit. The law makers and corporate
monopolies are lawless - a bad example
for our population, which is being taught by
example that money trumps all, including life
and that it doesn't matter what you do to
get it, e.g. ^{carefully} kill a debtor like a drug dealer who
owes someone above him or destroy a house
by taking all the bricks, windows & doors and
then paying someone to clean everything out
of the building to ready it for demolition.
Check out the southeast corner of Military
and Army on the southwest side. A
cell malfunction swaths a voice to my
line that warns "you better get that house

b)

learned out, "They were not taking to me
but the someone ~~in the~~ lived in the neighbor-
hood.

This will make the demolition easier
and cheaper for the ^{Detroit} Land Bank to
demolish parts of the city with the
32 million ^{Federal} dollars via the state from the
hardest hit funds that the state of Michigan
has held onto so long they only have one
year to use up the money before it goes
back. We had demonstrated to get this
money used to avoid mortgage & tax fore-
closures to keep ^{people} ~~them~~ in their homes. Our
demonstrations and requests were ignored.

I suspect these practices are being
encouraged by bigger players than brick thieves.
Why would brick thieves, between Saturday
& Monday (probably on Easter) steal bricks off
the houses, take windows out and then clean ~~the~~ out.
Have it

I want a ~~Kansas~~ Homestead Act, The ~~Plan~~
Disclosure statement does not disclose all
of the assets; and ~~the~~ houses, if not destroyed
are assets and potential assets in the community.
Fixtures taken down by DTE contractor Le Con for \$1,100.00 a fixture and replaced
by an LED fixture are being thrown away (not returned to the city to be sold for
income to the city). The PLD street light maintenance worker gets paid ~~seventeen dollars~~
an hour and can take down old & set up new in 15 minutes (not an hour). The mayor doesn't know the difference between a watt & a lumen,
and his lighting director.
Please select Professor ~~Sam~~ ~~Hammer~~
as a consultant or expert to help you
understand the direction Detroit needs to
take for Detroit to emerge as a healthier
city. My friends heard your Friday interview
and picked Hammer; I heard him analyze
Detroit Future City at Maygrove College several
months ago, in which he critiqued the
lack of acknowledgment of race as an important
component and that the ~~low~~ assumption by
the experts "is that Detroit can't attract
new residents so will just downsize (and
hope our poor will go somewhere else.

Hammer had the good sense to know
that the ^{new} arena catalyst project is a bad
development project but Tech Town is a
good " " " " MBAs for the city of Detroit.
But the new arena is OK for the state
who will get sales taxes from concessions
and tickets as well as income taxes, while
the city will get income taxes from players
and workers at $1\frac{1}{2}$ - 3% vs. 6% to state plus
state's sales tax. The money from the DDA
(Downtown Development Authority) will help
pay the bonds back and the State will take
money out of the education fund to give to
the DDA to help pay off the bonds. Can we
make this deal as complicated and convoluted
as the Disclosure Statement. Please hire Professor
Hammar as your "Expert" so we can develop real
healthy viable alternatives.

Objection to the ~~Agreement~~ Plan
of Disclosure, The DWS water
board commission and the Detroit City
Council voted before Orr filed for Bankruptcy
for a contract between them and New England Fertilizer Company
Orr and Jones Day are not ~~the~~ Michigan
Lawyers and according to our 2012 ^{Detroit} City
Charter should not represent or be hired
to represent our elected city council. They
have conflicts of interest ~~and~~ representing the
City of Detroit creditors. See Kurt Guyette
article in Metro Times where he says that
it is court record that Jones Day signed
an agreement with Merrill Lynch & subsidiary
of Bank of America that ^{Jones Day} they would not
sue Merrill Lynch if ~~they~~ Jones Day was
chosen to represent the City of Detroit in
Bankruptcy.

In ^{In} June,
~~the~~ The ~~the~~ DWS is stated to sell
\$600 million in bonds to fund this
~~waste~~ ~~water~~ ^{supply}, 20 year contract with New
England Fertilizer Company. In Wisconsin
they use (powerful) ~~the~~ old fashioned
steam to dewater and then sell the
remains for fertilizer. In Boston, the
Army Corp of Engineers, not short term
politicians that operate like ~~CEOs~~ ^{CEOs} with an
immediate bottom line rather than long
term public benefit, — designed the
aerobic digesters that produce an income
stream ~~for~~ that reduces water costs by
producing methane. Sue McCormick and other
overpaid executives should be replaced with
dedicated and competent engineers. The water
board ~~not~~ runs itself like corporate boards that set
their own extravagant salaries and bonuses.

DUSP

Please stop the sale of the bonds
to finance another edition of how to
waste money, pollute the river, and receive
water that you best filter at home.
I will include notes in a day or two from
my conversations with Saulus Simolons.

Please read ^{about} Harvard Professor of Law
Court Master Judge ~~Paul~~ Charles M. Haar
Mastering Boston Harbor by Harbor Gravity
published 2005. to ^{show} how pollution was stopped
there; in Detroit the Mafia ^{joined with Archer's & DeCombe's help} including Anthony
Loave ^{wasted} lots of ^{our} money on retention ponds
that don't work. The Detroit Future
City Plan (criticized by Professor Hammar)
has even more retention bonds scattered
throughout Detroit that are planned for
our future. Water and access to water are

a human right in Europe, but not here
unless you're Illich and owe \$80,000
on back water bills at Joe Louis Arena
the DWSD that wastes \$ every day on
stupid money makers for corrupt contractors
will turn you off if you're not a
billionaire - e.g. ^{the "new" building} Compuserve did not even
have a water meter in the building for
years. The Plan of Disclosure fails
to name the debtors to the city as
well as the creditors to the city and it
object. If leases are able to be broken
in bankruptcy, ~~we~~ we should also cancel
or quickly phase out tax abatements in
the downtown. These tax abatements are a
future expense to the city that needs stating
in the disclosure statement and (adjustment) ^{we need}
reduction and elimination in the plan ^{as we} to emerge
from bankruptcy ^{out of} ^{bankruptcy}
a debtor's prison. The government is surviving on our cash.
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Is this what democracy looks like? What happened to the Lincoln's Government of the people, by the people and for the people; this "plan" of adjustment and disclosure i.e. audit Arena & Parking before shoving a New Arena down our throats



OFFICE OF THE
CITY CLERK

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failure to Joe Louis
is another part of South Africa apartheid sp. (racial) income apartheid.
The bait & switch - will die to follow the corrupt city of Chicago model
sell the Parking Authority, throw the cars to a city lot so the government can make \$ off your car. make
any more you
car & you can get there faster on foot than the bus. & keep the still prices up so all the cheap
a bike or on

EMERGENCY MANAGER
CITY OF DETROIT
ORDER No. 24
ORDER TO AMEND CHAPTER 55 OF THE 1984 DETROIT CITY CODE

BY THE AUTHORITY VESTED IN THE EMERGENCY MANAGER
FOR THE CITY OF DETROIT
PURSUANT TO MICHIGAN PUBLIC ACT 436 OF 2012,
KEVYN D. ORR, THE EMERGENCY MANAGER,
ISSUES THE FOLLOWING ORDER:

Whereas, on March 28, 2013, Michigan Public Act 436 of 2012 ("PA 436") became effective and Kevyn D. Orr became the Emergency Manager ("EM") for the City of Detroit (the "City") with all the powers and duties provided under PA 436; and

Pursuant to section 9(2) of PA 436, the EM "shall act for and in the place and stead of" the Detroit Mayor (the "Mayor") and City Council (the "Council"); and

Section 9(2) of PA 436 also grants the EM "broad powers in receivership to rectify the financial emergency and to assure the fiscal accountability of the [City] and the [City's] capacity to provide or cause to be provided necessary governmental services essential to the public health, safety, and welfare;" and

Pursuant to section 10(1) of PA 436, the EM may "issue to the appropriate local elected and appointed officials and employees, agents, and contractors of the local government the orders the emergency manager considers necessary to accomplish the purposes of [PA 436], including, but not limited to, orders for the timely and satisfactory implementation of a financial and operating plan" or "to take actions, or refrain from taking actions, to enable the orderly accomplishment of the financial and operating plan;" and

I haven't studied Audit report but income is no doubt down because many meters didn't work. The worker collecting meter money said they couldn't buy the batteries anymore - the battery company went out of business. Later batteries were sold in the street. I should be on source Auditor General's looking into it. meter website

provision to the contrary," to "[a]nalyze the factors and circumstances contributing to the financial emergency of the local government and initiate steps to correct the condition;" and

Section 12(1)(dd) of PA 436 authorizes the EM, "notwithstanding any charter provision to the contrary," to "[e]xercise solely, for and on behalf of the local government, all other authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances or resolutions of the local government" as provided in the Michigan Home Rule City Act, Act 279 of 1909, Michigan Compiled Laws ("M.C.L.") §§ 117.1 to 117.38 (the "Home Rule Act"); and

Section 3(k) of the Home Rule Act requires that the City's charter provide for "adopting, continuing, amending, and repealing the city ordinances and for the publication of each ordinance before it becomes operative;" and

Section 4-115 of the 2012 City of Detroit Charter (the "City Charter") requires, among other things, that "[e]very proposed ordinance shall be in writing...[and that] [a]ny ordinance which repeals or amends an existing chapter, article, division, or section of the Detroit City Code shall set out in full the chapter, article, or division or section to be repealed or amended, and shall clearly indicate language to be omitted and language to be added;" and

Section 4-115 also requires that proposed ordinance shall be distributed to each Council member and the Mayor and that it be placed in the Office of the City Clerk (the "Clerk"), "such other public places," and that a summary of the proposed ordinance be published "in a daily newspaper of general circulation in the City together with a notice establishing the time and place for a public hearing thereon" not earlier than five days after the publication; and

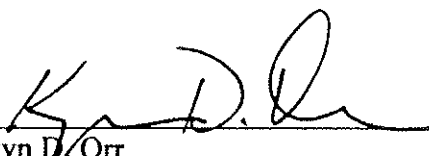
The EM has determined, at this time, it is necessary and appropriate to revise (i) Chapter 55, Article II, Section 55-2-42 of the 1984 Detroit City Code (the "Parking Fine Ordinance") to increase parking fines to cover the necessary costs to process such fines and to increase funds available to the City (ii) Chapter 55, Article II, Sections 55-6-50 and 55-6-51 to provide that each successive period of parking longer than the permitted period constitutes a separate violation (the "Parking Meters Ordinances" together with the Parking Fine Ordinance, the "Parking Ordinances"). Further, the EM believes that such revisions are necessary to safeguard and assure the financial accountability of the City.

It is hereby ordered that:

1. In accordance with Section 4-115 the Clerk is hereby instructed to publish this Order and Exhibits A and B hereto showing the proposed amendments to the Parking Ordinances in their entirety in a daily newspaper of general circulation no later than Tuesday, April 8, 2014.

2. In accordance with Section 4-115 a public hearing regarding the amendments proposed in Exhibits A and B will take place on Monday, April 14, 2014 at the Coleman A. Young Municipal Center, 2 Woodward Ave., on the 13th floor at 3 p.m.
3. All orders of the EM, ordinances and resolutions of the City Council of the City, and all parts of orders, ordinances or resolutions in conflict with this Order are hereby repealed to the extent of such conflict.
4. Nothing in this Order shall be interpreted as contrary to Federal law.
5. This Order is effective immediately upon the date of execution below.
6. The amended Parking Ordinances, as may be amended, shall be effective on the publication by the Clerk following the public hearing described in Paragraph 1.
7. If any component of this Order is declared illegal, unenforceable, or ineffective by a court of competent jurisdiction, such component shall be deemed severable so that all other components contained in this Order shall remain valid and effective.
8. The EM may modify, amend, rescind, replace, supplement, or otherwise revise this Order at any time.
9. This Order shall be distributed to the Mayor, City Council members and all department heads.

Dated: April 3, 2014

By: 
Kevyn D. Orr
Emergency Manager
City of Detroit

cc: State of Michigan Department of Treasury
Mayor Michael Duggan
Members of Detroit City Council

EXHIBIT A

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

~~Sec.~~ Chapter 55 of the 1984 Detroit City Code, *Traffic and Motor Vehicles*, is amended by amending Article II, *Administration and Enforcement*, Division 5, *Parking Violations Bureau*, Section 55-2-42, *Schedule of fines, of reductions for the prompt payment of fines, and of penalties for the late payment of fines, for parking violations*, to read as follows:

Sec. 55-2-42. Schedule of fines and of penalties for the late payment of fines for parking violations.

(a) In accordance with Section 9-509 of the 1997~~2012~~ Detroit City Charter, the schedule of fines, ~~of reductions for the prompt payment of fines, and of penalties for the late payment of fines, for parking violations~~ are as follows:

Violation	Violation Code	Fine	Fine When Paid Within 10 Days for All Vehicles	Fine When Paid After 30 Days, inclusive of late penalties, for Vehicles Registered in Michigan	Fine When Paid After 30 Days, inclusive of late penalties, for Vehicles Registered in Another State or Country
Parked in prohibited area/no parking	801	\$30.00 45.00	\$20.00	\$50.00 65.00	\$80.00 95.00
Improper parking	802	30.00 45.00	20.00	50.00 65.00	80.00 95.00
Blocking alley	804.1	30.00 45.00	20.00	50.00 65.00	80.00 95.00
Blocking driveway	804.2	30.00 45.00	20.00	50.00 65.00	80.00 95.00
Blocking crosswalk	804.3	30.00 45.00	20.00	50.00 65.00	80.00 95.00
Double parking	805.1	30.00 45.00	20.00	50.00 65.00	80.00 95.00
Double standing	805.2	30.00 45.00	20.00	50.00 65.00	80.00 95.00

Fire hydrant parking violation	3	805.	30.00\$ 45.00	20.00	50.00\$65.00	80.00\$95.00
No standing (anytime)	1	811.	30.00\$ 45.00	20.00	50.00\$65.00	80.00\$95.00
Snow emergency violation	2	811.	30.00\$ 45.00	20.00	50.00\$65.00	80.00\$95.00
Coach stop	3	811.	30.00\$ 45.00	20.00	50.00\$65.00	80.00\$95.00
No standing (a.m.)		812	30.00\$ 45.00	20.00	50.00\$65.00	80.00\$95.00
No standing (p.m.)		813	30.00\$ 45.00	20.00	50.00\$65.00	80.00\$95.00
Overtime parking		814	20.00\$ 45.00	10.00	40.00\$65.00	70.00\$95.00
Parking meter violation		821	20.00\$ 45.00	10.00	40.00\$65.00	70.00\$95.00
Parking in area reserved for the handicapped		830	100.00 \$150.00	90.00	120.00\$170.00	150.00\$200.00
DPW street cleaning		835	30.00\$ 45.00	20.00	50.00\$65.00	80.00\$95.00
Unauthorized parking—Private property		840	30.00\$ 45.00	20.00	50.00\$65.00	80.00\$95.00
Unattended—Key in vehicle		860	30.00\$ 45.00	20.00	50.00\$65.00	80.00\$95.00
No stopping		870	30.00\$ 45.00	20.00	50.00\$65.00	80.00\$95.00
Vehicle and			100.00			

equipment specified in section 55-6-21	880	\$150.00	90.00	120.00	\$170.00	150.00	\$200.00
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This schedule shall be posted at the Municipal Parking Department Parking Violations Bureau and, if located in a different location than the Parking Violations Bureau, at the main office of the Municipal Parking Department.

- (b) ~~As indicated in subsection (a) of this section, a parking fine that is paid to the parking violations bureau within ten (10) days of the date of issuance by accepting responsibility, or by accepting responsibility with an explanation, shall result in a ten dollar (\$10.00) reduction from the original fine as an incentive for prompt payment. In accordance with section 2-111 of the 1997 Detroit City Charter, the municipal parking department shall promulgate administrative rules for the implementation of a prompt payment incentive program within one hundred twenty (120) days after the enactment of this section.~~
- (c) ~~A parking fine shall be paid to the parking violations bureau within thirty (30) days of the date of issuance by accepting responsibility, or by accepting responsibility with an explanation, to avoid the imposition of a penalty, as indicated in subsection (a) of this section. As indicated in subsection (a) of this section, failure to pay a parking fine to the parking violations bureau within thirty (30) days of the date of issuance shall result:~~
- ~~(1) In a twenty dollar (\$20.00) penalty being added to the original fine where the vehicle is registered in this state; or~~
 - ~~(2) In a fifty dollar (\$50.00) penalty being added to the original fine where the vehicle is registered in another state or country.~~

EXHIBIT B

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Chapter 55 of the 1984 Detroit City Code, Traffic and Motor Vehicles, is amended by amending Article VI, Stopping, Standing and Parking, Division 2, Parking Meters, Section 55-6-50, Deposit of coins in meters; use of unexpired time on meters and Section 55-6-51, Parking beyond legal time; overtime parking, to read as follows:

Sec. 55-6-50. Schedule of fines and of penalties for the late payment of fines for parking violations; separate violations.

(a) When any vehicle is parked or standing in any space alongside of or next to which a parking meter is located, in accordance with the provisions of this division, the operator of such vehicle, upon entering the parking space, shall immediately deposit or cause to be deposited a coin of United States currency, as provided in section 55-6-47, in such parking meter, and shall place such meter in operation either automatically or by turning a mechanical device designated to place such meter in operation. The parking space then may be lawfully occupied by such vehicle during the period of parking or standing time which has been prescribed for the part of the street on which such parking space is located; provided, that after the expiration of the time limit, it shall be unlawful for that same vehicle to occupy that space until the lapse of one legal period of time prescribed for that space. If such vehicle shall remain parked or shall remain standing in any such parking space beyond the parking or standing time limit fixed for each parking space, the parking meter shall display a sign or signal showing illegal parking or standing, and in that event such vehicle shall be considered as parked overtime and beyond the period of legal parking or standing time; and the parking or standing of the vehicle where any such meter is located shall be a violation of this division.

(b) Any person placing a vehicle in a parking meter space, which meter indicates that unused time has been left thereon by the previous occupant of that space, shall not be required to deposit a coin for the use of such unused time; provided, that after the expiration of such unused time, it shall be unlawful to permit this same that vehicle to occupy such that space until the lapse of one legal period of time which has been prescribed for this that space.

(c) Each successive period of parking longer than the maximum time period constitutes a separate violation.

Sec. 55-6-51. Parking beyond legal time; overtime parking; separate violations.

It shall be unlawful for any person to cause, allow, permit or suffer any vehicle to stand or to be parked overtime beyond the period of legal parking or standing time established for any parking meter zone. Each successive period of parking longer than the maximum time period constitutes a separate violation.